

# OFFICE OF THE ATTORNEY GENERAL

86-00028



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STATE OF ALABAMA

ADMINISTRATIVE BUILDING  
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OCT 25 1985

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Honorable Arnold Teks  
Attorney, Lauderdale County  
Emergency Management  
Communications District  
Florence, Al 35631

Emergency Management  
Communications District --  
Telephones -- Competitive Bid  
Law -- Contracts.

Communications district boards  
established pursuant to Section  
11-98-1, et seq., Code of  
Alabama 1975, must comply with  
competitive bid laws.

Dear Mr. Teks:

In your letter dated October 2, 1985, to the Attorney General, you  
asked the opinion of this office on the following question:

The Lauderdale County Emergency Management  
Communication District has been established pursuant  
to Act No. 84-369, Regular Session, 1984, of the  
Legislature.

QUESTION: Will this district board be subject to  
the provisions of the competitive bid laws?

Section 11-98-1, et seq., Code of Alabama 1975, enables  
municipal and county governing bodies to establish communications  
districts within their jurisdictions for the purposes of providing  
emergency telephone service, commonly known as E-911 service.  
Specifically, Section 11-98-2, Code of Alabama 1975, states, in part:

The municipal or county governing body of any  
municipality or county may by ordinance create  
within its respective jurisdiction communications  
districts ....Such districts shall be political and  
legal subdivisions of the state....

Honorable Arnold Teks  
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Section 41-16-50 (a)(1), Code of Alabama 1975, subjects "the county commissions and the governing bodies of the municipalities of the state and the governing boards of instrumentalities of counties and municipalities" to the requirements of the competitive bid laws. It is our opinion that a communications district board is a governing board of an instrumentality of a county or municipality within the above-cited provisions and, therefore, must comply with competitive bid laws.

If this office may be of further assistance to you, please do not hesitate to contact us.

Sincerely,

CHARLES A. GRADDICK  
Attorney General

By

A handwritten signature in cursive script that reads "A. Lee Miller".

A. LEE MILLER, III  
Assistant Attorney General

CAG:ALM:ed